

longitudinally extending, transverse, or longitudinally extending in the transverse direction, the grooves must form cogs having at least three different longitudinal lengths.

As noted above, the longitudinal length of any belt element of Wong is measured from right to left in the Figures 2A-2C. As clearly shown in Figure 2B, the cogs 13 of Wong all have the same longitudinal lengths, contrary to Applicants' claim. The rejection states that the cogs 13 of Wong "are randomly arranged along the entire length of the belt and have at least six different longitudinal lengths, ..., as seen in Figure 2A." This statement is incorrect, and actually results in conflicting arguments between paragraph 1 and 4 in the Final Office Action. The cogs illustrated by Wong have different *transverse* lengths due to the bisecting grooves 18, but the longitudinal lengths are all identical.

It is respectfully requested that the teachings of Wong be reconsidered in light of the acknowledgement in the Office Action of the transverse and longitudinal directions of the belt of Wong.

In order for a reference to fully anticipate a claim under 35 U.S.C. § 102, the reference must disclose each and every element of the claimed invention. Since Wong et al fails to disclose each and every element of the claimed invention, it is respectfully requested that the rejection of the claims as being anticipated by Wong et al. be withdrawn.

It is respectfully requested that the rejection of the claims as being anticipated by Wong be withdrawn.

35 U.S.C. § 103(a)

Claims 1-5 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Miranti Jr, in view of Janne.

The rejection in paragraph 3 of the Final Office Action is identical to that presented in the prior Office Action with the inclusion of the statement: "It would have been obvious to one of ordinary skill in the art at the time of the invention was made to provide a random arrangement of pitch lengths along the entire belt instead of in a sequence, as Miranti teaches in column 4, lines 56-63, that the lengths may simply be randomly arranged."

In column 4, lines 56-63, Miranti is referencing the belt of Figures 3 and 4. The belt is defined by a repeating sequences of varying groove depths (col 4, lines 29-55). In a further variation of the belt of Figures 3 and 4, Miranti discloses that the spacings "s" between the grooves "could be randomly staggered." Miranti does not state that the randomly staggered spacings occurs over the entire belt and never gives any indication that such should or could

be done. Miranti does go on and disclose a belt with "generally random staggered spacing[s]" (col 6, lines 28-43). These randomly staggered spacings are arranged into a sequence that is then repeated along the entire length of the belt (col 6, lines 34-40).

Since Miranti teaches that when a randomly staggered spacing is used, it is arranged into a sequence which is then repeated in regard to the belt of Figure 7, those skilled in the art would appreciate that, even when used in the context of the belt of Figures 3 and 4, the randomly staggered spacings would be arranged in a repeating sequence along the length of the belt in combination with the sequence of varying groove depths.

There is nothing in Miranti that teaches those skilled in the art that any variation of the belt features, either the groove depths or the spacing of the grooves, could be randomly arranged along the entire length of the belt as recited.

In Paragraph 4 of the Final Office Action, it is stated that "it is within the ordinary level of skill in the art to provide the random sequence throughout the belt." However, this would be contrary to the specific teachings of Miranti who always teaches repeating sequences. To simply assert something contrary to the teachings of the primary reference without any specific teaching either in the primary reference or in a supporting reference or something else that establishes that it would have been obvious or "within the ordinary level of skill in the art" fails to establish a case of *prima facie* obviousness.

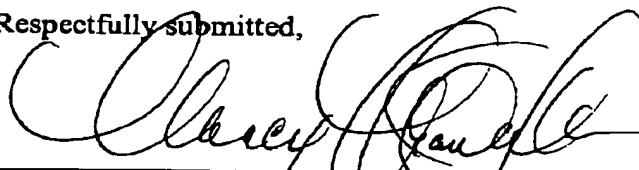
To establish *prima facie* obviousness, there 1) must be some suggestion or motivation in the art to modify or combine the references; 2) must be a reasonable expectation of success and 3) the combined references must teach or suggest all the claim limitations.

As discussed above, there is no suggestion or motivation in either Miranti or Janne to modify the belt of Miranti for a non-repeating random pattern of cog widths along the length of the belt. Absent teachings or suggestions in the art, there is no *prima facie* obviousness and the claimed invention is distinctly patentable from the teachings of Miranti, even when combined with the teachings of Janne.

It is respectfully requested that the rejection of the claims as being obvious over Miranti in view of Janne be withdrawn.

Applicant believes the claims pending in the subject patent application are in condition for allowance. The Examiner is respectfully requested to indicate allowability of all the pending claims.

Respectfully submitted,



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Re: Serial No. 09/893,156
James John Wilson et al.
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Transmitted herewith a Response to Final Office Action in the above patent application.

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